



DECISION MEMO

Doolittle Creek Fish Barrier

USDA Forest Service
Beaverhead-Deerlodge National Forest
Wisdom Ranger District
Beaverhead County
T1S, R14W, Section 29

Background

Doolittle Creek is located in the Pioneer Landscape and West Face management area. Doolittle Creek has been invaded by non-native Brook Trout that threaten the native population of Westslope Cutthroat Trout (WCT). Without action, the extirpation of the native fish species is highly likely. Creating a barrier to upstream movement of fish is a proven strategy for protecting and conserving native fish in streams. Doolittle Creek has been identified as a priority in the Big Hole Watershed in part because of the feasibility creating a fish barrier at this location and the high probability of successfully excluding non-native Brook Trout. Timing is critical before the small number of WCT are extirpated from this system due to being outcompeted by non-native fish.

Decision

I have decided to authorize the construction of a fish barrier on the main stem of Doolittle Creek approximately 300 feet downstream of the confluences of the North, Middle, and South Forks of Doolittle Creek. A fish barrier at this location would protect approximately 11 miles of stream habitat in Doolittle Creek from non-native trout. This site was selected because of accessibility, favorable geomorphic characteristics, and amount of habitat to be protected. The barrier would consist of a small concrete dam (approximately 7 feet high) with a spillway that spans the creek. The concrete spillway would have 2 vertical drops which will collectively preclude upstream non-native fish passage at nearly all stream flows. The barrier will be designed to withstand a 100 year flood event without overtopping.

Mitigation and Design Features Required by This Decision:

Heritage

- If heritage or cultural resources are located and cannot be avoided, operations in the area of the discovery shall cease until analysis and evaluation of the heritage resources are completed, including consultation with the Montana SHPO and appropriate Indian Tribes.

Recreation

- Public notices will be placed in local newspapers and other appropriate media to inform recreation users of the project and activities. Signs will be placed on Forest Service roads in the area. The public notice and signs will inform users of activities or potential hazards and any necessary instructions.

Vegetation

- Noxious weeds will be controlled following procedures in the Noxious Weed Control Program ROD (2002) for the Beaverhead-Deerlodge National Forest.

Reasons for Categorically Excluding the Proposed Action

An action may be categorically excluded from further analysis and documentation in an environmental impact statement (EIS) or environmental assessment (EA) if it is within one of the categories identified by the USDA in 7 CFR part 1b.3 or 7 CFR part 1b.3 or 36 CFR 220.6(d) or (e), and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

This project has been reviewed in accordance with FSH 1909.15 Chapter 30 (31.2). I have determined the project fits the following category: 36 CFR 220.6(e)(7):

Modification or maintenance of stream or lake aquatic habitat improvement structures using native materials or normal practices.

I have determined this category is the appropriate one to authorize this decision, because the objective of this project is to improve native fish habitat and restore native fish populations to home streams through commonly practiced methodology.

My decision is based on a review of the project record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information. The record includes the following resource specialist reports or documentation of review:

Biological Assessments for Aquatic, Plant, and Wildlife TES species
Tribal and Heritage Resource Findings
Soils Review
Hydrology Review
Recreation Review
Scenery Review

By definition, categorical exclusions do not individually or cumulatively have significant effects on the human environment (40 CFR 1508.4). Resource specialists considered direct and indirect effects from the proposed action coupled with past, present, and reasonably foreseeable actions. I have examined the proposed action and the effects analyses disclosed in the resource specialist reports listed above and conclude that without notable individual effects from the proposed action, there would be no discernable cumulative effects.

The interdisciplinary team reviewed the resource conditions listed in FSH 1909.15 Chapter 30 (31.2) and other concerns applicable to this project to determine whether any extraordinary circumstances exist. The mere presence of one or more of the resource conditions listed below does not preclude the use of a categorical exclusion. It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions, if such a relationship exists, and the degree of potential effect of a proposed action on these resource conditions that determine whether extraordinary circumstances exist.

The following table provides a summary of the final determinations regarding the cause-effect relationship between the proposed action and degree of potential effect on the resource conditions in the left hand column in the table below. All specialist reports (available in the project record) have been finalized and I have reviewed them in detail prior to reaching this decision.

Table 1. Potential Effects to Resource Conditions Considered for Extraordinary Circumstances

RESOURCE CONDITION	POTENTIAL EFFECT
Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.	<p>Threatened or Endangered Species: The proposal may affect, but is not likely to adversely affect the treated grizzly bear, Canada lynx, or bull trout and their critical habitats (<i>Bull Trout only on Pintler</i>)</p> <p>Sensitive Species: The proposal may impact individuals or habitat, but would not contribute to a trend towards federal listing or loss of viability to the population or species of WCT, Western Toads, gray wolf, whitebark pine, or Lemhi penstemon.</p> <p>No Impact – all other Sensitive terrestrial, aquatic, and plant species.</p>
Floodplains, wetlands, or municipal watersheds	Negative impacts to the municipal watershed, floodplains, or wetlands are not projected.
Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas.	No congressionally designated areas occur in or near the project; therefore negative impacts to any congressionally designated areas are not projected.
Inventoried Roadless Areas (IRAs) or potential wilderness areas	Project actions fall just within the West Pioneer Inventoried Roadless Area, minimal disturbance will occur during construction of the barrier and a small number of spruce trees may be affected by project actions but is consistent with the roadless rule 294.13(b)(2). There are no potential wilderness areas within the project area. No negative impacts to IRA's or potential wilderness areas are anticipated from the implementation of the project.
Research Natural Areas (RNAs)	There are no research natural areas within the project area. Therefore, negative impacts to any research natural areas are not projected.
American Indians and Alaska Native religious or cultural sites. Archaeological sites, or historic properties or areas.	A heritage survey was conducted, and no cultural resource sites or artifacts were located within the project area. A section 106 consultation will take place following the field season under the auspice of R1 Programmatic Agreement with Montana SHPO.

I find that the determinations reached in the extraordinary circumstances consideration table above maintain a high degree of certainty. Therefore, I am confident that this project would have no significant effect on the human environment, individually or cumulatively, and no uncertainty exists regarding this degree of potential effect. I have reviewed the individual specialist reports submitted for detailed descriptions of the methods and data used to come to these determinations if a written analysis was required.

Scoping and Public Involvement

The project was first published on the SOPA on March 24, 2017. The proposal was provided to 80 interested members of the public, organizations, tribes and other government agencies for the scoping period from April 25th, 2017 through May 26th, 2017. No responses were received.

Forest Plan Direction

The National Forest Management Act (NFMA) requires the development of long-range land and resource management plans. The Beaverhead-Deerlodge National Forest Plan was approved in 2009 and provides guidance for all natural resource management activities on the Beaverhead-Deerlodge National Forest. NFMA also requires that all projects and activities be consistent with the plans. The decision is consistent with Forest Plan direction including all applicable standards.

Forestwide resource Goals (or) Objectives:

Watershed Restoration Projects: Projects are designed and implemented to promote long-term ecological integrity of ecosystems, conserve the genetic integrity of native species, and contribute to attainment of desired stream function (*FP*, page 13).

Findings Required by Law

National Forest Management Act - The Beaverhead-Deerlodge National Forest Land and Resource Management Plan (Forest Plan) was approved in 2009, as required by this Act. The Forest Plan has been reviewed in consideration of this project and the project meets all applicable management direction, including consistency with all applicable standards.

On April 9, 2012 the Department of Agriculture issued a final planning rule for National Forest System land management planning (2012 Rule) 77 FR 68 [21162-21276]). None of the requirements of the 2012 Rule apply to projects and activities on the Beaverhead-Deerlodge National Forest, as the 2009 Beaverhead-Deerlodge Forest Plan was developed under a prior planning rule (36 CFR §219.17(c)). Furthermore, the 2012 Rule explains, “[The 2012 Rule] supersedes any prior planning regulation. No obligations remain from any prior planning regulation, except those that are specifically included in a unit’s existing plan. Existing plans will remain in effect until revised” (36 CFR §219.17).

Endangered Species Act - See the “Reasons for Categorically Excluding the Proposed Action” Section of this document, and Table 1, for a summary of the effects of this project to Endangered, Threatened, or Candidate Species for the Beaverhead-Deerlodge NF (list dated January 8, 2015). The summary is based on a more thorough analysis available in the project record. This project is consistent with the requirements of the Endangered Species Act.

Sensitive Species (Forest Service Manual 2670) - This direction requires analysis of potential impacts to sensitive species and the Regional Forester approved the sensitive species list on February 25, 2011 (updated August 26, 2011 to include white bark pine). Our review of the potential effects of this decision upon the sensitive species has been completed and the analysis documented in the project file and Resource Condition Table above.

Environmental Justice (Executive Order 12898) - This Order requires consideration of whether projects would disproportionately affect minority or low-income populations in or around the project area. Based on internal review and public scoping, the proposed action did not identify any adversely impacted local minority or low-income populations.

Clean Water Act – The intent of the Act is to restore and maintain the integrity of waters. The Forest Service complies with this Act through the use of Best Management Practices (BMPs). This decision incorporates Best Management Practices to ensure protection of soil and water resources and complies with the Clean Water Act and State water quality standards.

Clean Air Act – Under this Act, areas of the country were designated as Class I, II or III airsheds for “Prevention of Significant Deterioration” purposes. There will be no air quality impacts as a result of this decision.

The National Historic Preservation Act – As discussed earlier in this document and in detail in the project file, impacts to cultural resources are not expected.

Migratory Bird Treaty Act – There will be no known substantial losses of migratory bird habitat expected from the implementation of this proposal.

National Environmental Policy Act – Implemented in 1970, this Act requires public involvement and consideration of potential environmental effects. This decision memo and the project record provide documentation of compliance with this Act.

Other Laws or Requirements – The proposed action is consistent with all other Federal, State, and/or local laws or requirements.

Administrative Review Opportunities

Decisions made under Categorical Exclusions are not subject to objection pursuant to 36 CFR 218.

Implementation Date


This decision is not subject to objection pursuant to 36 CFR 218 and may begin immediately. Work is expected to commence in October 2020.

Contact Person

Supporting documentation for this decision is available for public review at the Wisdom Ranger Station (300 Forest Rd. Wisdom, MT 59761).

Further information about this decision can be obtained from Molly Ryan at the Wisdom Ranger Station during normal office hours (weekdays, 8:00 a.m. to 4:30 p.m.), or by phone (406-689-3243), mail (P.O. Box 238 Wisdom, MT 59761), or email (mollymryan@fs.fed.us).

Responsible Official


MOLLY M. RYAN
District Ranger

9/8/2020
Date

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